

**INDIAN RIVER COUNTY, FLORIDA  
MEMORANDUM**

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**TO:** Jason E. Brown; County Administrator

**THROUGH:** Phillip J. Matson, AICP; Community Development Director

**THROUGH:** Ryan Sweeney; Chief, Current Development

**FROM:** Brandon C. Creagan, LEED Green Associate; Senior Planner, Current Development

**DATE:** May 23, 2022

**SUBJECT:** Henry Fischer's Request for Abandonment of the North and West 12-foot-Wide Strips of Land Reserved for a Public Road that are Located Within the Bounds of the Property Located at 10105 Industrial Park Blvd [ROWA-21-09-01 / 2021060061-90141]

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It is requested that the data herein presented be given formal consideration by the Board of County Commissioners at its regular meeting of June 7, 2022.

**DESCRIPTION AND CONDITIONS:**

Henry Fischer is requesting abandonment of the north and west 12-foot-wide strips of land reserved for a public road that are located within the bounds of the property located at 10105 Industrial Park Blvd. The subject property is now located within the city limits of the City of Sebastian. However, in an abundance of caution, the County is processing this abandonment application to relinquish any possible claim to right-of-way within this property.

As required by the County land development regulations (LDRs), prior to the Technical Review Committee (TRC) meeting at which the subject petition was reviewed, staff notified by mail each property owner adjacent to the subject right-of-way. No questions or responses were received from any adjacent property owners. Additionally, all County divisions and utility providers having jurisdiction or potential interests have reviewed the abandonment request and support the request.

At this time, the applicant requests that the subject portion of right-of-way be abandoned.

**ANALYSIS:**

Consistent with guidelines established by the Board of County Commissioners, this petition was reviewed by all County divisions and utility providers having jurisdiction or potential interests within the subject 12-foot-wide strips of land reserved for a public road that are located within the bounds of the property located at 10105 Industrial Park Blvd. Upon review, all reviewing departments recommended approval, to support the request for abandonment. Therefore, all departments support the request for abandonment, and no easements are being retained within any portion of the area being abandoned. If approved, the abandonment request will slightly increase

the buildable area for the applicant's property and will ensure that any possible claim of right-of-way is abandoned within the bounds of the property.

As noted on the County Thoroughfare Plan, the subject right-of-way is not part of the County's major roadway system and is not needed for the thoroughfare system or for traffic circulation in the surrounding neighborhood. In this case, the subject right-of-way does not provide primary access to any property. The abandonment will not affect the right of convenient access to any surrounding properties. The abandonment will also relinquish any possible right-of-way claim within property that is within the jurisdiction of the City of Sebastian. Also, the County Attorney's Office has reviewed and approved the attached abandonment resolution for legal form and sufficiency.

**RECOMMENDATION:**

Staff recommends that the Board of County Commissioners abandon its rights to the subject portion of the subject right-of-way, and authorize the chairman to execute the attached abandonment resolution.

**ATTACHMENTS:**

1. Location Map
2. Abandonment Resolution